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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,606	05/02/2001	David K. Peck	20101/01401	5598

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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,606

Applicant(s)

PECK ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to Amendment A, filed 04/01/2005.
2. Claims 1-8, and 11-32 are currently pending in this application. Claims 1, 7 and 13 are independent claims. Applicant cancelled claims 9-10.

Claim Rejections - 35 USC § 101

3. Claims 7-8, 11-26 and 29-32 were rejected under 35 U.S.C. 101 because the claimed invention was directed to non-statutory subject matter has been withdrawn since correction has been made.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-2, 5-6, 11-12 and 27-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over by Matthews et al. (hereinafter Matthews) "Complete Reference FrontPage 2000" (Public Release 1999, By Osborn/McGraw-Hill, Ca, USA), in view of Hanson et al. US006101509A - filed 09/27/1996 (hereinafter Hanson).

In regard to independent claim 1, receiving from a user an indication of a selected portion of a Web-based document to be edited and of a desired editing function to be performed on the selected portion (Matthews at pages 499-506, discloses inserting HTML to modify the document and HTML authoring tool),

Matthews does not explicitly teach, **inserting immediately prior to the selected portion a first editing tag corresponding to the desired editing function; detecting object tag elements within the selected portion; inserting immediately prior to each object tag element within the selected portion a second editing tag corresponding to the desired editing function and inserting the second tag at the end of the selected portion; and inserting immediately after each object tag element within the selected portion the first editing tag, wherein the first and second editing tags are distinguishable from the object tag elements,** however (Hanson at col. 1, lines 15-15, discloses HTML Tag-based editors, wherein HTML tags are inserted at the appropriate locations in a Web document to inform a Web browser how to display the various kinds of information in the Web document (HTML tags are typically paired), such as the pair of tags "<html>" and "</html>", header indicated by the pair of tags "<head>" and "</head>", body indicated by the pair of tags "<body>" and "</body>". Tag-based editors, also known as HTML editors, were developed to provide HTML extensions. The HTML extensions allow a user to edit a document, select a segment of the document and choose an appropriate HTML tag from a pull down menu or the like to insert the HTML tags around the selected segment of the document on the fly).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the FrontPage 2000 web builder and create your own web

application of Matthews, to includes a means of editing and publishing the web-based document of Hanson. One of the ordinary skills in the art would have been motivated to perform such a modification to obviate the need for a user to learn the specific keystroke sequences representing a given pair of HTML tags and allow greater attention to be paid to the visual appeal and format of the final Web document, as taught by Hanson at col. 2, lines 10-35).

In regard to dependent claim 2, the first editing tag opens the desired editing function and the second editing tag closes the desired editing function (Matthews at page 468, table 13-3, discloses a pairs of tags, such as , for applying the Bold physical character style to the enclosed character).

In regard to dependent claims 5-6, incorporate substantially similar subject matter as cited in claims 1-2 above, and are similarly rejected along the same rationale.

In regard to independent claim 7, is directed to a software package for performing the method of claim 1, and is similarly rejected along the same rationale.

In regard to dependent claim 8, is directed to a software package for performing the method of claim 2, and is similarly rejected along the same rationale.

In regard to dependent claims 11-12, are directed to a software package for performing the method of claims 1-2, and are similarly rejected along the same rationale.

In regard to dependent claim 27, receiving the indication of the desired editing function includes receiving a user selection of the desired editing function from an editing toolbar or a pull down menu (Matthews at pages 512-513, discloses DHTML Effects toolbar).

In regard to dependent claim 28, "receiving the indication of the selected portion of the Web-based document to be edited includes receiving a user input highlighting the selected

portion (Matthews at pages 462-467, discloses the tolls of using color as shown in table 13.2.
listing 13.2, such as: color, shade and there of).

8. **Claims 3-4, 13-26 and 29-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over by Matthews et al. (hereinafter Matthews) "Complete Reference FrontPage 2000" (Public Release 1999, By Osborn/McGraw-Hill, Ca, USA), in view of Hanson et al. US006101509A - filed 09/27/1996 (hereinafter Hanson), further view of Agrawal et al. US20020004813A - provisional No. 60/187,925-filed 03/08/2000 (hereinafter Arawal).

In regard to dependent claim 3, Matthews and Hanson do not explicitly teach, **saving a portion of the Web-based document including the first and second editing tags; and reinserting the first and second editing tags into the Web-based document where the first and second editing tags were inserted prior to being saved in response to reassembly requested**, however (Agrawal at page 3, paragraph [0032], [0033] and [0036] – [0037], discloses XML or HTML document requested from a Web server from a client browser may include a script as individual rectangular portions of the active area of the browser 200 and labeled A, B, C and D. As illustrating in FIG. 2.the finer granularity of the partial page caching methodologies, wherein each page block may be assigned or have caching properties associated therewith partial page caching may be implemented using a cache tag library in JSPs, as shown in FIG. 4 by the start tag<Tag Extension> and the end tag</Tag Extension>. The start tag includes the attributes

"caching properties", in which the caching properties defining the conditions under which the cacheable data block is to be invalidated are identified).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the FrontPage 2000 web builder and create your own web applications of Matthews, to include a means of editing and publishing the web-based document of Hanson, and further includes a means of saving a portion of the Web-based document including the first and second editing tags; and reinserting the first and second editing tags into the Web-based document where the first and second editing tags were inserted prior to being saved of Arawal. One of the ordinary skill in the art would have been motivated to modify this combination to provide an efficient caching method, wherein a Web server uses fewer resources, especially Central Processing Unit resources to service a client's HTTP request. The ability to cache and to efficiently retrieve cached pages improves the server's performance (reduced response time) as well as its capacity to acceptably accommodate a greater number of users than it would otherwise have been able to serve without resorting to caching, as taught by Agrawal at page 1, paragraph [0010]).

In regard to dependent claim 4, incorporate substantially similar subject matter as cited in claims 1-3 above, and is similarly rejected along the same rationale; and also (Matthews at pages 412-416, discloses using absolute positioning).

In regard to independent claim 13, incorporate substantially similar subject matter as cited in dependent claims 1 and 3 above, and is similarly rejected along the same rationale.

In regard to dependent claim 14, is directed to a computer readable medium for performing the method of claim 13, and is similarly rejected along the same rationale.

In regard to dependent claims 15-18, 20-22, and 24-26, incorporate substantially similar subject matter as cited in dependent claims 1 and 3 above, and are similarly rejected along the same rationale. Examiner reads the above limitation in the broadest reasonable interpretation as claimed, wherein the web building tools and Tags-based editors is reasonably equivalent to removing the editing tags as claimed).

In regard to dependent claim 19, the view includes color (Matthews at page 463, discloses the set of tool of using color in the web building and creating web applications).

In regard to dependent claim 23, the context portions include n words before and after each editing tag (Matthews at pages 466-472, discloses the heading tags, such as `<H1 Class=red> This heading would be in the H1.red style</ H1` and so on).

In regard to dependent claims 29-32, are directed to a software package for performing the method of claims 3 and 7, and are similarly rejected along the same rationale.

Response to Argument

9. Applicant's Remark filed 04/01//2005 have been fully considered but they are not persuasive. The reason for rejection is set forth in the rejection state above and further more of the following:

Reponses to argument claims 1-2, 5-6, 11-12 and 27-28, Remarks pages 9-11:

Applicant argues that Mathews in view of Hanson fail to teach and/or suggest the limitations as claimed in independent claim 1. The Office respectfully disagrees, the reason of rejection is set forth in the rejection above and further more of the following, the FrontPage 2000 web builder and create your own web application of Matthews Editing a web on a server pages

856-858, discloses a detail steps of how to edit the user design portion of the web page directly on server just as you would on your own computer, to include the means of providing an OBJECT ORIENTED EDITOR comprised of an object system, object framework, script language and a user interface:

Object system provides support for many objects (object used here is a web documents) and property related functions, including, but not limited to, adding or removing a property associated with an object, creating a child of an object, and duplicating an object such as: provides for the creation of a hierarchy of HTML objects which contain methods to create appropriate HTML, provides for an extensible and flexible list of attributes, and creates on-screen editor features, provides a user with the ability to take out unwanted features in an HTML document as well.

Object framework provides a set of objects for developing Web documents, such as created and published and provided arbitrary collections of objects, arrays, list and vectors, objects that handle errors and events, and user interface objects such as buttons and scrollers.

The script language is a complete object oriented programming language for writing, compiling, and executing handlers.

The user interface supports drag and drop operations references to objects, properties, and handlers between the various windows, editors and browsers, as taught by Hanson at col. 6, lines 45 through col. 13, line 45).

One of the ordinary skills in the art would have been motivated to perform such a modification to provide an object oriented-based authoring and serving environment wherein everything is treated as an object and an object can send messages to other objects or alter the

serving environment itself, such as the limited of output ASCII text which must then be converted by the HTTP server or some other process to the appropriate format for a Web document, e.g., HTML format (i.e. a way for a user to take a certain object and create a specialized subclass that worked in exactly the same manner except for a different feature depending on the conditions), as taught by Hanson col. 4, lines 1-20.

Therefor independent claim 1 remains rejected, which lead to the rejection of the intervening claims. Therefor the dependent claims 2, 5-6 and 27-28 remain rejected.

Reponses to argument claims 3-4 and 29-32, Remarks pages 11-13:

Applicant argues that claims 3, 4 and 29-32 depend from one of claims 1 and 7 and that Mathews fail to teach and/or suggest the limitations of claims 1 and 7. The Office respectfully disagrees; the reason of rejection is set forth in the rejection above and incorporate substantially similar subject matter as cited in the Reponses to argument claims 1-2, 5-6, 11-12 and 27-28, Remarks pages 9-11 cited above. Further more, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

Further more Applicants argue that Mathews and Hanson in further view of Agrawal fail to teach and/or suggest the steps of saving and inserting limitations of claim 3. The Office respectfully disagrees, the reason of rejection is set forth in the rejection above and further more of the following, the FrontPage 2000 web builder and create your own web application of Matthews Editing a web on a server pages 856-858, discloses a detail steps of how to edit the user design portion of the web page directly on server just as you would on your own computer,

to include the means of providing an OBJECT ORIENTED EDITOR comprised of an object system, object framework, script language and a user interface, and further includes a means of partial page catching of dynamically generated content discloses by Agrawal, utilizing the benefit of using a cache tag library provides HTTP web server support, database access, load balancing and pooling. Also utilizing the HTML tag document such as XML document or WebPage to store and validate only the identified cached block (i.e. portion of the web page), wherein the start tag and end tag is part of the catching properties. The schema cited here in the broadest reasonable interpretation as claimed, wherein dynamically generating the identified cached block (i.e. a web page) to and from a cache tag library is reasonably equivalent to saving and reinserting a portion of the Web-based document including the editing tags as claimed.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified the FrontPage 2000 web builder and create your own web application of Matthews, to includes a means of editing and publishing the web-based document of Hanson, and further includes a means of saving a portion of the Web-based document including the first and second editing tags; and reinserting the first and second editing tags into the Web-based document where the first and second editing tags were inserted prior to being saved of Arawal. One of the ordinary skill in the art would have been motivated to modify this combination to provide an efficient caching method, wherein a Web server uses fewer resources, especially Central Processing Unit resources to service a client's HTTP request. The ability to cache and to efficiently retrieve cached pages improves the server's performance (reduced response time) as well as its capacity to acceptably accommodate a greater number of users than

it would otherwise have been able to serve without resorting to caching, as taught by Agrawal at page 1, paragraph [0010]).

Therefor claims 1, 3 and 7 remains rejected, which lead to the rejection of the intervening claims. Therefor claims 4, and 31-32 remain rejected.

Reponses to argument claims 13-26, Remarks pages 13-15:

The Office respectfully disagrees; the reason of rejection is set forth in the rejection above and incorporate substantially similar subject matter as cited in the Reponses to argument claims 1-2, 5-6, 11-12 and 27-28, Remarks pages 9-11 and Reponses to argument claims 3-4 and 29-32, Remarks pages 11-13 cited above, which lead to the rejection of the intervening claims. Therefor claims 13-26 remain rejected.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) -272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
June 10, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
6/10/2005